

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) An albumin fusion protein comprising a member selected from the group consisting of:

(a) ~~a Therapeutic protein:X~~ an antibody or antibody fragment that specifically binds HER2, and albumin comprising the amino acid sequence of SEQ ID NO:18;

(b) ~~a Therapeutic protein:X~~ an antibody or antibody fragment that specifically binds HER2, and a fragment or a variant of the amino acid sequence of SEQ ID NO:18, wherein said fragment or variant of the amino acid sequence of SEQ ID NO:18 has albumin activity;

(c) ~~a Therapeutic protein:X~~ an antibody or antibody fragment that specifically binds HER2, and a fragment or a variant of the amino acid sequence of SEQ ID NO:18, wherein said fragment or variant of the amino acid sequence of SEQ ID NO:18 has albumin activity, and further wherein said albumin activity is the ability to prolong the shelf life of the ~~a Therapeutic protein:X~~ antibody or antibody fragment that specifically binds HER2 compared to the shelf-life of the ~~a Therapeutic protein:X~~ antibody or antibody fragment that specifically binds HER2 in an unfused state;

(d) ~~a Therapeutic protein:X~~ an antibody or antibody fragment that specifically binds HER2, and a fragment or a variant of the amino acid sequence of SEQ ID NO:18, wherein said fragment or variant of the amino acid sequence of SEQ ID

NO:18 has albumin activity, and further wherein the fragment or variant of the amino acid sequence of SEQ ID NO:18 comprises the amino acid sequence of amino acids 1-387 of SEQ ID NO:18;

(e) ~~a fragment or variant of a Therapeutic protein:X and albumin comprising the amino acid sequence of SEQ ID NO:18, wherein said fragment or variant has a biological activity of the Therapeutic protein:X;~~

(~~[[f]]~~ e) ~~a Therapeutic protein:X, or fragment or variant thereof~~ an antibody or antibody fragment that specifically binds HER2, and albumin, or fragment or variant thereof, of (a) to (~~[[e]]~~ d), wherein the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, is fused to the N-terminus of albumin, or the N-terminus of the fragment or variant of albumin;

(~~[[g]]~~ f) ~~a Therapeutic protein:X, or fragment or variant thereof~~ an antibody or antibody fragment that specifically binds HER2, and albumin, or fragment or variant thereof, of (a) to (~~[[e]]~~ d), wherein the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, is fused to the C-terminus of albumin, or the C-terminus of the fragment or variant of albumin;

(~~[[h]]~~ g) ~~a Therapeutic protein:X, or fragment or variant thereof~~ an antibody or antibody fragment that specifically binds HER2, and albumin, or fragment or variant thereof, of (a) to (~~[[e]]~~ d), wherein the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, is fused to the N- terminus and C-terminus of albumin, or the N-terminus and the C-terminus of the fragment or variant of albumin;

(i) ~~a Therapeutic protein:X, or fragment or variant thereof, and albumin, or fragment or variant thereof, of (a) to (e), which comprises a first Therapeutic protein:X, or fragment or variant thereof, and a second Therapeutic protein:X, or fragment or variant thereof, wherein said first Therapeutic protein:X, or fragment or variant thereof, is different from said second Therapeutic protein:X, or fragment or variant thereof;~~

(~~[[i]]~~ h) ~~a Therapeutic protein:X, or fragment or variant thereof~~ an antibody or antibody fragment that specifically binds HER2, and albumin, or fragment or variant thereof, of (a) to (~~[[l]]~~ g), wherein the ~~Therapeutic protein:X or fragment or variant thereof,~~ antibody or antibody fragment that specifically binds HER2, is separated from the albumin or the fragment or variant of albumin by a linker; and

(~~[[k]]~~ i) ~~a Therapeutic protein:X, or fragment or variant thereof~~ an antibody or antibody fragment that specifically binds HER2, and albumin, or fragment or variant thereof, of (a) to (~~[[j]]~~ h), wherein the albumin fusion protein has the following formula:

R1-L-R2; R2-L-R1; or R1-L-R2-L-R1,

and further wherein R1 is ~~Therapeutic protein:X, or fragment or variant thereof~~ an antibody or antibody fragment that specifically binds HER2, L is a peptide linker, and R2 is albumin comprising the amino acid sequence of SEQ ID NO:18 or a fragment or variant of albumin.

2. (Currently Amended) The albumin fusion protein of claim 1, wherein the shelf-life of the albumin fusion protein is greater than the shelf-life of the ~~Therapeutic~~

~~protein:X, or fragment or variant thereof,~~ antibody or antibody fragment that specifically binds HER2, in an unfused state.

3. (Currently Amended) The albumin fusion protein of claim 1, wherein the in vitro biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof,~~ antibody or antibody fragment that specifically binds HER2, fused to albumin, or fragment or variant thereof, is greater than the in vitro biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof,~~ antibody or antibody fragment that specifically binds HER2, in an unfused state.

4. (Currently Amended) The albumin fusion protein of claim 1, wherein the in vivo biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof,~~ antibody or antibody fragment that specifically binds HER2, fused to albumin, or fragment or variant thereof, is greater than the in vivo biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof,~~ antibody or antibody fragment that specifically binds HER2, in an unfused state.

5. (Currently Amended) An albumin fusion protein comprising a ~~Therapeutic protein:X, or fragment or variant thereof~~ an antibody or antibody fragment that specifically binds HER2, inserted into an albumin, or fragment or variant thereof, comprising the amino acid sequence of SEQ ID NO:18 or fragment or variant thereof.

6. (Currently Amended) An albumin fusion protein comprising a ~~Therapeutic protein:X, or fragment or variant thereof~~ an antibody or antibody fragment that specifically binds HER2, inserted into an albumin, or fragment or variant thereof, comprising an amino acid sequence selected from the group consisting of:

- (a) amino acids 54 to 61 of SEQ ID NO:18;

- (b) amino acids 76 to 89 of SEQ ID NO:18;
- (c) amino acids 92 to 100 of SEQ ID NO:18;
- (d) amino acids 170 to 176 of SEQ ID NO:18;
- (e) amino acids 247 to 252 of SEQ ID NO:18;
- (f) amino acids 266 to 277 of SEQ ID NO:18;
- (g) amino acids 280 to 288 of SEQ ID NO:18;
- (h) amino acids 362 to 368 of SEQ ID NO:18;
- (i) amino acids 439 to 447 of SEQ ID NO:18;
- (j) amino acids 462 to 475 of SEQ ID NO:18;
- (k) amino acids 478 to 486 of SEQ ID NO:18; and
- (l) amino acids 560 to 566 of SEQ ID NO:18.

7. (Currently Amended) The albumin fusion protein of claim 5, wherein said albumin fusion protein comprises a portion of albumin sufficient to prolong the shelf-life of the ~~Therapeutic protein: X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, as compared to the shelf-life of the ~~Therapeutic protein: X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, in an unfused state.

8. (Currently Amended) The albumin fusion protein of claim 6, wherein said albumin fusion protein comprises a portion of albumin sufficient to prolong the shelf-life of the ~~Therapeutic protein: X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2 as compared to the shelf-life of the ~~Therapeutic protein: X~~ antibody or antibody fragment that specifically binds HER2, ~~or fragment or variant thereof~~, in an unfused state.

9. (Currently Amended) The albumin fusion protein of claim 5, wherein said albumin fusion protein comprises a portion of albumin sufficient to prolong the in vitro

biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, fused to albumin as compared to the in vitro biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof~~, antibody or antibody fragment that specifically binds HER2, in an unfused state.

10. (Currently Amended) The albumin fusion protein of claim 6, wherein said albumin fusion protein comprises a portion of albumin sufficient to prolong the in vitro biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, fused to albumin as compared to the in vitro biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, in an unfused state.

11. (Currently Amended) The albumin fusion protein of claim 5 wherein said albumin fusion protein comprises a portion of albumin sufficient to prolong the in vivo biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, fused to albumin compared to the in vivo biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, in an unfused state.

12. (Currently Amended) The albumin fusion protein of claim 6 wherein said albumin fusion protein comprises a portion of albumin sufficient to prolong the in vivo biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, fused to albumin compared to the in vivo biological activity of the ~~Therapeutic protein:X, or fragment or variant thereof~~ antibody or antibody fragment that specifically binds HER2, in an unfused state.

13. (Original) The albumin fusion protein of any one of claims 1-12, which is non-glycosylated.

14. (Original) The albumin fusion protein of any one of claims 1-12, which is expressed in yeast.

15. (Original) The albumin fusion protein of claim 14, wherein the yeast is glycosylation deficient.

16. (Original) The albumin fusion protein of claim 14 wherein the yeast is glycosylation and protease deficient.

17. (Original) The albumin fusion protein of any one of claims 1-12, which is expressed by a mammalian cell.

18. (Original) The albumin fusion protein of any one of claims 1-12, wherein the albumin fusion protein is expressed by a mammalian cell in culture.

19. (Original) The albumin fusion protein of any one of claims 1-12, wherein the albumin fusion protein further comprises a secretion leader sequence.

20. (Original) A composition comprising the albumin fusion protein of any one of claims 1-12 and a pharmaceutically acceptable carrier.

21. (Original) A kit comprising the composition of claim 20.

22. (Withdrawn) A method of treating a disease or disorder in a patient, comprising the step of administering the albumin fusion protein of any one of claims 1-12.

23. (Withdrawn) The method of claim 22, wherein the disease or disorder comprises indication:Y.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

24. (Withdrawn) A method of treating a patient with a disease or disorder that is modulated by Therapeutic protein:X, or fragment or variant thereof, comprising the step of administering an effective amount of the albumin fusion protein of any one of claims 1-12.

25. (Withdrawn) The method of claim 24, wherein the disease or disorder is indication:Y.

26. (Withdrawn) A method of extending the shelf life of Therapeutic protein:X, or fragment or variant thereof, comprising the step of fusing the Therapeutic protein:X, or fragment or variant thereof, to albumin, or fragment or variant thereof, sufficient to extend the shelf-life of Therapeutic protein:X, or fragment or variant thereof, compared to the shelf-life of the Therapeutic protein:X, or fragment or variant thereof, in an unfused state.

27. (Withdrawn) A nucleic acid molecule comprising a polynucleotide sequence encoding the albumin fusion protein of any one of claims 1-12.

28. (Withdrawn) A vector comprising the nucleic acid molecule of claim 27.

29. (Withdrawn) A host cell comprising the nucleic acid molecule of claim 28.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com